

REMARKS

Reconsideration of the application is requested in view of the above amendments and the following remarks. Claim 25 has been canceled. Claims 1, 2, 8, 11, 16, 17, 23, 24 and 28 have been amended. The amendments to claims 1 and 11 are supported by at least Figures 11, 12, 17 and 18 and the description of the Figures in the present specification. The amendments to claim 8 are supported by at least original claim 11 and Figure 1. The amendments to claims 16, 23 and 28 are supported by at least Figures 1, 17 and 18. Claim 24 has been amended to include the allowable limitations of canceled claim 25. New claim 30 has been added as a new dependent claim to claim 29. No new matter has been added.

Claim Objections

Claims 1, 2 and 16 have been amended to correct formality issues as suggested by the Examiner.

§102 Rejection

Claim 24 was rejected under 35 U.S.C. §102(e) as being anticipated by Oto (US 6,786,583). Applicant respectfully traverses this rejection. As noted above, claim 24 has been amended to include the allowable limitations of claim 25. Therefore, this rejection is moot. Applicant does not concede the correctness of this rejection.

Claim 29 was rejected under 35 U.S.C. §102(e) as being anticipated by Inoue (US 6,773,099). Applicant respectfully traverses this rejection.

Inoue discloses a with reference to Figure 40 an ink container that includes a movable member 551. The movable member 551 is positioned within the ink container and is not "accessible at an exterior of the ink container," as required by claim 29. Furthermore, the movable member 551 is not intended to be manually engaged as required by claim 29. The moveable member 551 is automatically actuated in response to pressure conditions generated by air flow into the ink chamber and ink flow out of the ink chamber. Therefore, Inoue fails to disclose every limitation of claim 29 and the claims that depend from it.

§103 Rejections

Claims 1-5, 7-11, 13-17, 22, 23 and 28 were rejected under 35 U.S.C. §103(a) as being unpatentable over Yuen (US 6,347,863) in view of Barinaga (US 6,478,415). Applicant respectfully traverses this rejection.

Yuen fails to disclose or suggest the pressure varying structures recited in independent claims 1, 8, 16, 17, 23 and 28. Barinaga fails to remedy the deficiencies of Yuen as it relates to claims 1, 8, 16, 17, 23 and 28 for at least those reasons set forth below. Barinaga discloses an ink cartridge refilling station with reference to Figures 2a, 2b that is used to refill a cartridge 14 using a fluid reservoir of ink 110. The reservoir 110 includes a fluid interconnect 131 and a pressure chamber 126. To create flow from the reservoir 110 to the cartridge 14, a pump member 16 compresses the pressure chamber 126. Figures 2a and 2b illustrate that the entire reservoir 110 must move downward relative to the pump 116 and cartridge 14 in order to force ink through the interconnect 131 and into the cartridge 14. Barinaga fails to disclose or suggest maintaining the reservoir 110 in a fixed position relative to the cartridge 14 when compressing the pressure chamber 126 to alter the pressure condition in the reservoir to create ink flow through interconnect 131. Therefore, Yuen and Barinaga fail to disclose or suggest "a pressure varying means configured to alter a pressure condition in the internal ink tank of the ink container while maintaining a fixed spatial relationship between the ink container and the ink cartridge," as required by claim 1, or "varying pressure in the ink reservoir to initiate the ink flow communication while maintaining a fixed spatial relationship between the ink container and the ink cartridge," as required by claim 17.

The pump 116 disclosed by Barinaga is mounted to the station 100 at the bottom end of a receiving port into which the reservoir 110 is inserted (see Figures 2a and 2b of Barinaga). Therefore, Yuen and Barinaga fail to disclose or suggest "a pump mounted to an exterior surface of the ink container that can be actuated to initiate ink flow in the drain conduit," as required by claim 8.

The pressure chamber 126 disclosed by Barinaga is positioned on a bottom facing side of the reservoir 110 when the reservoir is inserted into the station 100. The pressure chamber 126 is positioned on the same side of the reservoir 110 as the interconnect 131 that is acting as the fluid outlet for the reservoir. Therefore, Yuen and Barinaga fail to disclose or suggest "the pressure member positioned on a surface of the ink container different from a surface of the ink container

to which the ink communication path is coupled," as required by claim 16. Yuen and Barinaga also fail to disclose or suggest an "ink container including at least one flexible side wall; and a drain conduit extending from another side wall of the ink container," as required by claim 28.

The pressure chamber 126 disclosed by Barinaga is integral with a bottom sidewall of the reservoir 110. Figures 2a, 2b illustrate the pressure chamber 126 as being a continuous piece of material with the reservoir sidewall. Furthermore, the pressure chamber 126 protrudes outward from the generally planar bottom sidewall of the reservoir. Barinaga fails to disclose or suggest a recess in the reservoir 110. Therefore, Yuen and Barinaga fail to disclose or suggest "an ink container having at least one internal ink tank containing ink and a recess formed in an external surface of the ink container; . . . and a pressure varying member at least partially positioned within the recess," as required by claim 23.

In view of the above, Applicant submits that Yuen and Barinaga fail to disclose or suggest every limitation of claims 1, 8, 16, 23 and 28, and the claims that depend from them.

Claims 6 and 12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Yuen in view of Barinaga and further in view of Ano (US 5,453,772). Applicant respectfully traverses this rejection. As discussed above, Yuen and Barinaga fail to disclose or suggest every limitation of claims 1 and 8. Ano fails to remedy the deficiencies of Yuen and Barinaga as they relate to claims 1 and 8. Therefore, claims 6 and 12 are allowable for at least the reason they are dependent upon an allowable base claim. Application does not otherwise concede the correctness of this rejection.

Claims 18-21 were rejected under 35 U.S.C. §103(a) as being unpatentable over Yuen in view of Barinaga and further in view of Ito (US 6,053,603). Applicant respectfully traverses this rejection. As discussed above, Yuen and Barinaga fail to disclose or suggest every limitation of claim 17. Ito fails to remedy the deficiencies of Yuen and Barinaga as they relate to claim 17. Therefore, claims 18-21 are allowable for at least the reason they are dependent upon an allowable base claim. Application does not otherwise concede the correctness of this rejection.

Claim 24 was rejected under 35 U.S.C. §103(a) as being unpatentable over Yuen in view of Barinaga and further in view of Ota (US 6,786,583). Applicant respectfully traverses this

rejection. As noted above, claim 24 has been amended to include the allowable limitations of claim 25. Therefore, this rejection is moot. Applicant does not concede the correctness of this rejection.

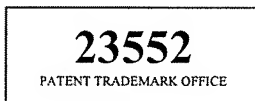
New Claim

New claim 30 depends from claim 29 and is allowable for at least the reason it is dependent upon an allowable base claim.

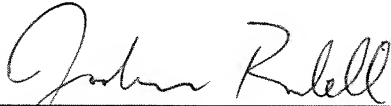
In view of the above, Applicant respectfully requests reconsideration of the application in the form of a Notice of Allowance. If a phone conference would be helpful in resolving any further issues related to this matter, please contact Applicant's attorney listed below.

Respectfully submitted,

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Date: June 1, 2006



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